

**SUPPLEMENTAL SECURITY INCOME (SSI) STATE SUPPLEMENT PROGRAM (SSP)**

**Purpose:** This section describes the Supplemental Security Income (SSI) state supplement program, including:

- Program administration
- Benefit issuance
- Medical coverage
- Eligibility for other programs
- Department responsibilities when SSI benefits are terminated.

Effective June 7, 2002

**WAC 388-474-0001 What is Supplemental Security Income (SSI) and who can get it?**

- (1) SSI is a federal cash benefit program administered by the Social Security Administration (SSA) under Title XVI of the Social Security Act.
- (2) You can get SSI if you have limited income and resources and if you are:
  - (a) Aged (sixty-five and older);
  - (b) Blind; or
  - (c) Disabled.
- (3) The SSI program replaced state programs for aged, blind and disabled persons beginning in January 1974. If you received state assistance in December 1973 and you became eligible for SSI in January 1974, you are called a grandfathered client by the state and a mandatory income level (MIL) client by SSI. You must continue to meet the definition of blind or disabled that was in effect under the state plan in December 1973. These definitions can be found in the SSA program operations manual system (POMS), see <http://policy.ssa.gov/poms.nsf>.
- (4) If you are needed in the home to care for an eligible person, you are called an essential person. You are also called a grandfathered client.

- (5) If you are an essential person you must have lived continuously with the eligible person since January 1974.
- (6) If you are an SSI recipient and you have a spouse who does not qualify for SSI in their own right, you may be eligible for a state supplemental payment for your spouse (also referred to as an ineligible spouse).

### CLARIFYING INFORMATION

1. Supplemental Security Income (SSI) is a nationwide program begun in January 1974. It is designed to provide federal cash benefits to individuals, couples and children who meet the federal disability criteria as aged, blind or disabled and have limited income and resources.
2. At the time of conversion from the state disability program to the federal SSI program, persons living in the home and considered to be needed in the home for the care of the SSI recipient were included in the federal benefit payment. These persons are called essential persons. At that time, the federal benefit payment was less than the state disability payment in effect for December, 1973.
3. The state supplemented the federal benefit to make up the difference. These persons are called Mandatory Income Level (MIL) clients. The Department must be certain that they never receive a payment smaller than they received in December 1973.
4. A person meets federal disability criteria when:
  - a. Aged; defined as sixty-five years of age or over; or
  - b. Blind; defined as:
    - (1) Vision measured at 20/200 or less **with** glasses; or
    - (2) Visual angle (peripheral vision) measured at twenty degrees or less; or
  - c. Disabled, defined as:

- (1) Eighteen years of age and over and unable to engage in substantial gainful activity; or
  - (2) Under eighteen years of age and unable to respond at the social and/or developmental activity level appropriate for their age; or
  - (3) Due to a physical or mental condition that has lasted or is expected to last at least twelve consecutive months or end in death.
5. The department establishes the SSI State Supplement Payment (SSP) standard. As of July 1, 2002 the only groups receiving an SSP are Mandatory Income Level clients and individuals with an ineligible spouse. See **STANDARDS**.
6. SSA issues the monthly federal SSI benefit amount based on the federal benefit rate minus countable income.
7. The Department took over administration of the SSP payments October 1, 2002. The Department will issue the SSP payments for MIL cases and individuals with an ineligible spouse.
8. An ineligible spouse of an SSI client is the husband or wife who lives with the client and:
  - a. Is not relatable to SSI; or
  - b. Is relatable but elects to be considered an ineligible spouse by SSA to make his/her spouse eligible for SSI; or
  - c. Has not applied for SSI.
9. The SSI payment and the ineligible spouse State Supplemental payment belong to the SSI client.

Effective June 7, 2002

<b>WAC 388-474-0005 What medical coverage does a Supplemental Security Income client, essential person, and an ineligible spouse get?</b>
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| <ol style="list-style-type: none"><li>(1) If you are an SSI client you automatically get categorically needy (CN) medical coverage (WAC 388-505-0110) unless you:</li></ol> |
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- (2) Refuse to provide private medical insurance information; or
- (3) Refuse to assign the right to recover insurance funds to the department (WAC 388-505-0540).
- (4) If you are an essential person as described in WAC 388-474-0001 you get CN medical coverage as long as you continue to live with the SSI client.
- (5) If you are an ineligible spouse you are not considered an SSI recipient. You must have your medical assistance determined separately.

**CLARIFYING INFORMATION**

1. When SSA approves SSI cash benefits, ACES auto-opens CN Medicaid from the SDX Medicaid effective date. ACES can process Medicaid eligibility back 36 months. A report is sent to MAA for reconciliation of claims for previous periods of CN coverage. If ACES is unable to open CN Medicaid due to a discrepancy in the passed information and information already contained in ACES, ACES will alert the worker of record to resolve the discrepancy and to manually open CN Medicaid. See **DATA SHARING**.
2. When the SSI client is active on another cash or medical program, ACES removes the client from the AU and recalculates the benefit for the remaining members. If the client is the only member of the other AU, ACES closes the AU.
3. When the SSI client is a member of a food assistance AU, ACES recalculates food assistance benefits, adding the SSI income.
4. ACES also automatically updates the record for SSI income changes and alerts CSO staff to take action on other changes.
5. ACES auto-opens a Medicare Savings Program AU for Medicare eligible SSI clients.
6. ACES auto-closes CN Medicaid when the SDX record indicates that the SSI cash has terminated because the client is now an inmate of a public institution, has left the state, or has died. ACES also closes the Medicare Savings Program when the

SDX interface indicates the client is no longer eligible for Medicare. The worker of record is notified by alert of all other SSI cash terminations.

### WORKER RESPONSIBILITIES

1. SSA does not pay the client SSI cash benefits for the first month of eligibility but the client is eligible for SSI CN Medicaid from the first of the month of the date of eligibility. The date of eligibility appears on the SDX 1 screen in the SSI eligibility date field. When manually processing the CN Medicaid open the first of the month of the date listed in the SSI eligibility date field.
2. The ineligible spouse of a SSI client is not eligible for SSI related CN Medicaid. Determine MN eligibility for the ineligible spouse who applies for medical and meets SSI related criteria. See **ADULT MEDICAL SSI Related Section**
3. See instructions in the ACES USER manual for alerts for manual opening, changes, and closure.

Effective June 7, 2002

**WAC 388-474-0010 How does being a Supplemental Security Income (SSI) client affect your cash assistance eligibility?**

- (1) If you are married to an SSI recipient but do not get SSI in your own right, you are called an "ineligible spouse."
- (2) If you are an ineligible spouse you cannot get the SSI state supplement when you are:
- (3) The caretaker relative of a child who receives TANF or SFA; and
- (4) Required to be included in the TANF or SFA assistance unit with the child (see WAC 388-408-0015); or
- (5) Receiving refugee assistance.
- (6) If you are an ineligible spouse and get an SSI state supplement (WAC 388-474-0012), you cannot get general assistance (GA).

### CLARIFYING INFORMATION

1. The TANF program takes precedence over the state SSI supplemental payment. The state supplemental payment takes precedence over general assistance benefits.
2. Grandparents may receive SSI for the beneficiary, an SSI ineligible spouse supplement, and a TANF grant for the grandchildren.
3. A family that can get both SSI (for the eligible individual) and TANF (for the spouse and children) can choose one of the following options:
  - a SSI benefits for the SSI eligible spouse and a TANF grant for the ineligible spouse and children (ineligible spouse cannot get SSP); or
  - b SSI benefits as a couple. This means the ineligible spouse is eligible in own right for SSI and both choose SSI as a couple. The children can get TANF.

**EXAMPLE 1**

Household consists of father, mother, and two children. Father is getting \$545 in SSI, an ineligible spouse SSP of \$100 and, \$440 in TANF for the two children. We discover the error and terminate the SSP for the ineligible spouse. We add the ineligible spouse to the TANF grant.

**EXAMPLE 2**

Household consists of father, mother, and two children. Father is getting SSI, an ineligible spouse SSP and, \$440 in TANF for the two children. Terminate the SSP payment. Mother is disabled and chooses to apply for SSI and father and mother are approved for SSI as a couple getting \$818 for themselves and \$440 TANF for the children.

See **ONGOING ADDITIONAL REQUIREMENTS**

Effective October 26, 2002 - emergency

**WAC 388-474-0012 What is a state supplemental payment and who can get it?**

- (1) The state supplemental payment (SSP) is a state-paid cash assistance program for certain clients who the Social Security Administration determines are eligible for

Supplemental Security Income (SSI).

- (2) You can get an SSP if:
- (a) You are a grandfathered SSI recipient under WAC 388-474-0001; or
  - (b) You are an individual with an ineligible spouse under WAC 388-474-0001; or
  - (c) You are an individual with developmental disabilities who applies for and meets the division of developmental disabilities criteria for SSP.

### CLARIFYING INFORMATION

1. SSP is automated similar to the WASHCAP food assistance program. AU's open, close, and update from SDX interfaces. ACES sends approval, change and termination letters based on SDX information.
2. Only grandfathered (MIL) cases and individuals with an ineligible spouse get SSP payments. The SSI client with an ineligible spouse must be getting a federal SSI cash payment to get an SSP.
3. When a new AU cannot be opened automatically an alert will be set for the user of record to review the case and to take appropriate actions. Financial workers can open, close, and reinstate SSP AUs.
4. The Division of Developmental Disabilities authorizes SSP payments for eligible DDD clients.
5. Budget SSP for MIL and individuals with an ineligible spouse for food assistance. Do not budget SSP authorized by DDD for TANF, or Basic Food **unless** it has been earmarked for normal living expenses such as rent, utilities, food, or personal clothing.
6. MIL payments vary from client to client depending upon the amount the individual received in 1974 when SSI took over disability payments from States.
7. When ACES auto-opens the SSP and the client has an EFT account ACES send the consent form with the approval letter.

8. ACES imports bank information if the client is his own payee and has a direct deposit account (EFT). EFT cannot start until the client returns the signed consent form.
9. The SSP AU program code is [SP]. There must be a matching SDX or pending SDX record to open a SP AU. A SSI Medicaid AU must be finalized before finalizing the SP cash AU.
10. The user can close a SP AU. It will not automatically open again unless SSA changes the SDX field to "no ineligible spouse" and then back to "yes ineligible spouse".
11. If an individual with an ineligible spouse getting an SSP notifies you that the ineligible spouse has left the household, close the SP AU. Although it is the client's responsibility to report changes to SSA, notify SSA when the client has reported that the ineligible spouse has left the home. SSA must redetermine the SSI client's benefit.
12. SSP cash payments begin on the first of the month the client is eligible for SSI. SSP cannot be approved retroactively.

## **WORKER RESPONSIBILITIES**

1. When an alert "auto pay not possible" is generated, review case for the following:
  - a. The SDX indicates client is eligible for SSP but ACES shows the client is the only active member on a food assistance AU. Review AU circumstances to determine which information is correct. If client is living alone do not open the SSP AU. If client has an ineligible spouse living in HH, open SSP, and add the spouse to the food assistance AU or if the client is on WASHCAP, contact the WASHCAP unit to close the case and send out a food assistance application. Document your actions.
  - b. The client is not known to ACES. The SDX shows client requested WASHCAP **and** has an ineligible spouse. ACES will open the WASHCAP case and set an alert for the user regarding the SSP. If upon review of the case, you find that the client **has** an ineligible spouse open the SSP and contact the WASHCAP unit to close WASHCAP. The client is not WASHCAP



eligible. If the client does not have an ineligible spouse do not open the SSP. Notify SSA and document your actions.

2. The SSI living arrangement on the SDX must be A, B, or C.

Effective June 28, 2002

**WAC 388-474-0015 What happens to my categorically needy (CN) medical coverage when my Supplemental Security Income (SSI) cash payment is terminated?**

- (1) Your CN medical coverage (WAC 388-505-0110) continues after an SSI cash payment ends when:
  - (a) Countable income exceeds the SSI income standard due solely to the annual cost-of-living adjustment (COLA); or
  - (b) A timely request for a hearing has been filed. CN medical coverage is continued until Social Security Administration (SSA) makes a final decision on the hearing request and on any subsequent timely appeals.
- (2) If your SSI ends your CN medical coverage continues for a period of up to one hundred twenty days while the department reviews your eligibility for other cash or medical programs.
- (3) If you are a terminated SSI or SSI-related client, the department will review your disability status when:
  - (a) You present new medical evidence;
  - (b) Your medical condition changes significantly; or
  - (c) Your termination from SSI was not based on a review of current medical evidence.
- (4) Children terminated from SSI due to loss of disabled status may be eligible for medical benefits under WAC 388-505-0210.

**CLARIFYING INFORMATION**

- 1.
1. SSA terminates benefits when the eligible SSI beneficiary:

- a. Is deceased;
  - b. No longer lives in the state;
  - c. Fails to apply for and, if eligible, obtain benefits or accept services as specified by SSA;
  - d. Has lived in a public institution, such as a county jail or federal prison, for a full calendar month;
  - e. Has entered a Long Term Care facility and is expected to be there longer than 90 days and has income from another source of \$50 or more;
  - f. No longer meets federal disability criteria as blind or disabled; or
  - g. Begins receiving money from another source over the SSI income standard
2. Benefits for an essential person and SSP benefits for the ineligible spouse are terminated when the SSI client is terminated from SSI.

**WORKER RESPONSIBILITIES**

- 1. When an SSI client is terminated, continue CN medical coverage until eligibility for other medical programs has been reviewed and determined (See Adult Medical/SSI related section).
- 2. When a person is terminated from SSI due to failure to meet federal disability criteria, do not make a referral to DDDS unless there is evidence that the client's condition has changed or a new disability is indicated. If no disability exists, the client is not SSI related unless due to age. Review eligibility for another medical program, cash, and food assistance if the client applies.
- 3. When a person is terminated from SSI solely due to excess income, make a referral to DDDS for an end date on their disability approval. Do not delay approval for SSI related medical while waiting for DDDS information. Make appropriate changes to the DEM 2 screen when the information is received.

Effective June 7, 2002

**WAC 388-474-0020 What can a general assistance-unemployable (GA-U) client expect when Supplemental Security Income (SSI) benefits begin?**

You can only get assistance to meet your basic needs from one government source at a time (WAC 388-448-0210). If you are a GA-U client who begins setting (*sic*) SSI, you should know that:

1. If you got advance, emergency or retroactive SSI cash assistance for any period where you got GA-U, you must repay the department the amount of GA-U paid to you for the matching time period.
2. When you apply for GA-U you must sign DSHS 18-235(X), interim assistance reimbursement agreement (IARA) to get GA-U assistance.
3. You cannot use your GA-U money to replace money deducted from your SSI check to repay an SSI overpayment

**CLARIFYING INFORMATION**

1. The signed DSHS 18-235(X) is the department's authorization to recover state GA-U funds expended to meet the person's needs if they are later approved for SSI.
2. SSI lump sum back payments go directly to the Office of Financial Recovery (OFR). OFR determines the amount of interim assistance to be recovered from general assistance recipients approved for SSI. Attorney fees paid by the client for assistance with the SSI application process are an allowable deduction. OFR sends any lump sum balance to the client.

**WORKER RESPONSIBILITIES**

1. When you receive authorization from the social worker to open General Assistance Expedited Medical Services (GA-X) program, authorize Title XIX medical coverage. See the ACES User manual.
2. When a GAU/GAX recipient is approved for SSI, ACES closes the cash grant and auto-opens SO1.